



READY READER

Kansas CMS Emergency Preparedness CoP Newsletter

Issue 1 January 2017

Why the “Ready Reader”

The Centers for Medicare & Medicaid Services (CMS) have released new Emergency Preparedness Conditions of Participation (CoP) for 17 different health and medical provider types. Kansas has developed this newsletter to assist the regulated community in implementing activities to improve preparedness efforts and aid in meeting these new regulations.

Kansas CMS Emergency Preparedness CoP Task Force

Q: What is the “Kansas CMS Emergency Preparedness CoP Task Force?”

A: An ad hoc group representing emergency preparedness professionals, regulators, and advocacy associations from Kansas concerned with promoting compliance with the new CMS Emergency Preparedness conditions.

Q: What agencies are represented on the Task Force?

A: Kansas Department of Health & Environment (KDHE) Preparedness, KDHE Health Facilities, KDHE Rural Health, Office of the State Fire Marshal, Kansas Department of Aging and Disability Services, Kansas Division of Emergency Management, Kansas Commission on Disability Concerns, Kansas ADA Coordinator, Kansas Hospital Association, and Kansas Home Care Association.

“This final rule issues emergency preparedness requirements that establish a comprehensive, consistent, flexible, and dynamic regulatory approach to emergency preparedness and response that incorporates lessons learned...”

- Federal Register, 9/16/2016



Tornado in Kansas crossing Interstate 70

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17 Provider Types

There are 17 provider types that are affected by this rule. They are:

- Hospitals
- Religious Nonmedical Health Care Institutions
- Ambulatory Surgical Centers
- Hospices
- Psychiatric Residential Treatment Facilities
- Programs of All-Inclusive Care for the Elderly
- Transplant Centers
- Long-Term Care Facilities
- Intermediate Care Facilities for Individuals with Intellectual Disabilities
- Home Health Agencies
- Comprehensive Outpatient Rehabilitation Facilities
- Critical Access Hospitals
- Clinics, Rehabilitation Agencies, and Public Health Agencies as Providers of Outpatient Physical Therapy and Speech-Language Pathology Services
- Community Mental Health Centers
- Organ Procurement Organizations
- Rural Health Clinics and Federally Qualified Health Centers
- End-State Renal Disease Facilities

Emergency Plan

One of the key items of the CoP for all provider types is the development of an emergency plan. These plans should address the full spectrum of emergencies and disasters that could impact the organization or facility. These hazards should be identified by the use of a hazard vulnerability assessment or other similar tool.

This emergency plan should be coordinated with community emergency response and emergency management organizations including local fire and county emergency management. These plans, both the hazard assessment and the emergency plan, will need to be updated a minimum of annually.

Emergency Planning Resources

KDHE Preparedness has template emergency plans available for hospitals, dialysis centers, community mental health centers and safety net clinics available at http://www.kdheks.gov/cphp/operating_guides.htm.

Hazard Vulnerability Assessment Resources

An important part of developing an emergency plan is conducting a [hazard vulnerability assessment](#) to identify your organizational or facility risks. KDHE has developed a tool and user's guide to assist health and medical organizations with documenting their identified risks. The tool and user's guide is available at http://www.kdheks.gov/cphp/operating_guides.htm.

Kansas Health Alert Network

The Kansas Health Alert Network (KS-HAN) is an internet-based, secure, emergency alerting system that allows general public health and emergency preparedness information to be shared rapidly.

KS-HAN has the ability to alert registrants by organization, occupation, county, or group through e-mail, work and cell phone, and SMS text. Additionally, KS-HAN can be utilized as a document storing and sharing website.

Since KS-HAN is the primary system used by KDHE for communication during an emergency, it is important to ensure that your organization's registrants and their contact information are kept updated.

KS-HAN is an invitation-only system. To request an invite code, e-mail your name, organization, phone number, and employer to the KS-HAN Administrator at kshanadmin@kdheks.gov

You will receive an invite code by e-mail that you will be required to enter, along with your e-mail address, during registration.

Your Preparedness Team

Whether you're a small facility out in rural Kansas or a metropolitan facility with hundreds of employees it will be critical for you to develop an emergency preparedness implementation team or committee to be successful. As we look at the activities required by the new CoPs we can easily see the need for a broad based facility emergency planning team will be critical to achieving the conditions.

When looking at our facility or organizational planning team we want to have a goal of each organizational element being involved in the emergency planning process. Each of our work areas will bring a different, specific and needed set of eyes on the challenges that lay ahead of us. Obviously having leadership buy in to the entire process is important but having a member or members of the leadership or executive team participating on the emergency preparedness team not only demonstrates the organization's emphasis but also can help get things done at the highest of levels. Representation from housekeeping, maintenance, clinical care, fiscal or billing, administration, emergency preparedness and all of the areas will aid in our development of a well orchestrated and integrated emergency plan.

The CoPs lay out goals of where we need to be but to get there we need to know where we are now. As your emergency team forms, begin to capture what you already have related to emergency preparedness. Do you have a plan? Do you have fire and severe storm procedures? Do you have emergency lighting? A generator? The fact is you probably have the basis for your emergency management program, it just needs some level of work to meet the conditions. You can also take this time to look at your hazards and vulnerabilities.

If you have never done a Hazard Vulnerability Assessment for your facility or organization, don't let it scare you. Hazards are those things that can affect your facility: tornados, ice storms, hostile patients, chemical spills, etc. while vulnerabilities are sometimes called risks and are those ways that the hazard can negatively impact your organization or facility. When looking to identify hazards you may start with your county emergency management agency. They identify hazards using a Federal Emergency Management Agency (FEMA) based model that can give you a good idea of what sort of natural, manmade, and technical hazards are in your community. Reaching out to them for this information can also help set up your organization on a path with further integration to your community's emergency management system; which is also key to the conditions.

As you reach out to the county emergency management organization, ask about other community emergency preparedness activities that you can become part of. Specifically the Local Emergency Planning Committee (LEPC) and Emergency Support Function 8—Health and Medical. The LEPC is a broad-based community effort to increase emergency readiness throughout all organizations. The Emergency Support Function 8—Health and Medical group is a sub-component of the emergency management system of other health and medical organizations and facilities who work to increase preparedness for, coordinated response to, recovery from, and mitigation for emergencies in the county. These are your neighbors who will be the first ones in the disaster side by side with you. For a list of county emergency management contacts visit <http://www.kansastag.gov/KDEM.asp?PageID=200>.

CMS Survey & Certification Group FAQs

Q. Which agencies will be involved in monitoring compliance? Will monitoring for compliance include State and/or local health officials and emergency management? Are there ways to coordinate monitoring and compliance with local Health/Emergency Management Officials? Will CMS ask local Health/Emergency officials to sign-off (or at least be involved in the process) verifying that these organizations have met the requirements or at least involved in the process of signing-off on?

A: The State Survey Agencies (SA), Accreditation Organizations (AOs), and CMS Regional Offices (ROs) will be involved in monitoring for compliance as is the case with all other requirements for participation in Medicare. Facilities may choose to work with local health and emergency management officials to review the facility's plan to meet local requirements. The facility has the option of choosing to seek approval of its plan from state/local emergency preparedness officials. We do not regulate state and local emergency management officials.

Q: What are the consequences for not meeting these new requirements? Will any leniency be given for organizations that have started this type of planning but didn't complete by November 15, 2017? Will any warnings be issued before any actions taken against a particular organization?

A: Providers/suppliers have one year to implement the emergency preparedness requirements. Surveying for compliance to these requirements will begin in November 15, 2017. There will be no exceptions for the requirements and non-compliance will follow the same process non-compliance with any other Conditions of Participation (CoPs) and Conditions for Coverage (CfCs) for the facility at hand.

Federal Preparedness Resources

CMS Emergency Preparedness Requirements by Provider Type

<https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Downloads/EP-Rule-Table-Provider-Type.pdf>

CMS Survey & Certification Group Frequently Asked Questions Emergency Preparedness Regulation (28 OCT 2016)

<https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Downloads/Frequently-Asked-Questions-FAQs.pdf>

CMS Survey & Certification Emergency Preparedness Checklist

https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertEmergPrep/Downloads/SandC_EPChecklist_Provider.pdf

Healthcare Emergency Preparedness Information Gateway

<https://asprtracie.hhs.gov/cmsrule>

CMS Emergency Preparedness and Response Office

<https://www.cms.gov/About-CMS/Agency-Information/Emergency/index.html?redirect=/emergency>

Kansas Americans with Disabilities Act

<https://admin.ks.gov/offices/personnel-services/policies-and-programs/ada>

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